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### FACSIMILE

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FROM: Daniel M. Scolnick, Ph.D. TIMEKEEPER NO.: 2321  
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 # OF PAGES (INCLUDING COVER): 22 FILE NAME: UPAP0002-100  
 DATE: June 1, 2005 FILE #: 136826

RECIPIENT(S)	PHONE	FAX
Examiner David Guzo, Ph.D. USPTO, GAO 1636	571.272.0767	703.872.9306

MESSAGE: OFFICIAL FACSIMILE - U.S. PATENT APPLICATION NO. 09/359,975

PLEASE DELIVER TO EXAMINER David Guzo, GAO 1636

ATTACHED:

- Transmittal form (1 page)
- Fee Transmittal (w/auth to charge deposit account \$520) (duplicate)
- Response to Office Action (6 pages)
- 4 Terminal Disclaimers to Obviate a Double Patenting Rejection  
Over a Prior Patent (Patent Nos. 5,981,505; 5,817,637; 5,830,876  
and 5,593,972) (4 pages)
- Copies of Assignment documents as filed with the PTO on 05/27/05

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 09/359,975

Filing Date July 23, 1999

First Named Inventor David B. Weiner

Art Unit 1636

Examiner Name David Guzo

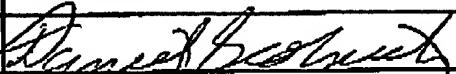
Attorney Docket Number UPAP0002-100

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer (4) <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD  <b>Remarks:</b>	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Official Facsimile Cover Sheet; copies of 2 Assignment documents
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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Cozen O'Connor

Signature 

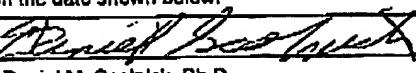
Printed Name Daniel M. Scolnick, Ph.D.

Date June 1, 2005

Reg. No. 52, 201

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature 

Typed or printed name Daniel M. Scolnick, Ph.D.

Date

June 1, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL for FY 2005

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT**

**(\$)** **520.00**

*Complete if Known*

Application Number	09/359,875
Filing Date	July 23, 1999
First Named Inventor	David B. Weiner
Examiner Name	David Guzo
Art Unit	1638
Attorney Docket No.	UPAPD002-100

### METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify) :

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Under 37 CFR 1.16 and 1.17

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### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES	
	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)
Utility	300	150	500	250	200	100
Design	200	100	100	50	130	65
Plant	200	100	300	150	160	80
Reissuc	300	150	500	250	600	300
Provisional	200	100	0	0	0	0

#### 2. EXCESS CLAIM FEES

##### Fee Description

Each claim over 20 (including Reissues)

##### Small Entity

Fee (\$)

Fee (\$)

50 25

200 100

360 180

Each independent claim over 3 (including Reissues)

##### Multiple Dependent Claims

Fee (\$)

Fee (\$)

Multiple dependent claims

##### Total Claims

##### Extra Claims

##### Fee (\$)

##### Fee Paid (\$)

8 -40 or HP= 0 x =

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HP = highest number of total claims paid for, if greater than 20.

##### Indep. Claims

##### Extra Claims

##### Fee (\$)

##### Fee Paid (\$)

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HP = highest number of independent claims paid for, if greater than 3.

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

#### 4. OTHER FEE(S)

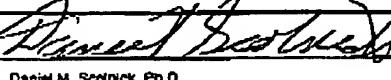
Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : Disclaimer Fee for 4 patents

Fees Paid (\$)

\$20.00

### SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	52,201	Telephone	215.685.6828
Name (Print/Type)	Daniel M. Scanick, Ph.D.			Date	June 1, 2005

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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